

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOSE REYES GONZALEZ,

Petitioner,

v.

NORTHERN DISTRICT OF
OKLAHOMA,

Respondent.

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Case No. CIV-20-247-D

ORDER

Petitioner, a prisoner appearing *pro se*, filed a Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 [Doc. No. 1] and a Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 2] on March 17, 2020. Pursuant to 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings.

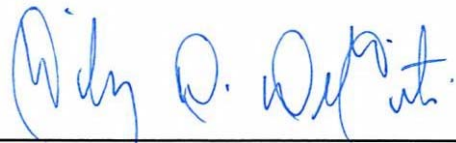
On March 19, 2020, Judge Erwin directed Petitioner to cure the deficiencies in his motion for leave to proceed *in forma pauperis* by April 6, 2020. [Doc. No. 5 at 2]. Petitioner was advised that his failure to comply with the Order would result in Judge Erwin recommending dismissal of the action without prejudice. *Id.*

On April 10, 2020, Judge Erwin filed a Report and Recommendation (“Report”) [Doc. No. 6], in which he recommended that this action be dismissed without prejudice because Petitioner had failed to comply with the Court’s orders. Judge Erwin advised Petitioner of his right to object and directed that any objection be filed on or before April 27, 2020. Judge Erwin further advised Petitioner that any failure to object would result in waiver of the right to appellate review. The deadline for filing objections has passed. To

date, Petitioner has not filed objections and has not sought an extension of time in which to do so.

Accordingly, Judge Erwin's Report and Recommendation [Doc. No. 6] is ADOPTED as though fully set forth herein. This action is dismissed without prejudice to the filing of a new action. A judgment shall be issued forthwith.

IT IS SO ORDERED this 7th day of May 2020.



TIMOTHY D. DeGIUSTI
Chief United States District Judge